

# **Town Board Minutes**

## **Meeting No. 4**

### ***Regular Meeting***

**February 5, 1996**

MEETINGS TO DATE 4  
NO. OF REGULARS 3  
NO. OF SPECIALS 1

LANCASTER, NEW YORK  
FEBRUARY 5, 1996

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 5th day of February, 1996 at 8:00 P.M. and there were

PRESENT: DONALD E. KWAK, COUNCIL MEMBER  
JOHN T. MILLER, COUNCIL MEMBER  
MARK A. MONTOUR, COUNCIL MEMBER  
DONNA G. STEMPNIAK, COUNCIL MEMBER  
ROBERT H. GIZA, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK  
ROBERT H. LABENSKI, TOWN ENGINEER  
RICHARD SHERWOOD, TOWN ATTORNEY  
ROBERT L. LANEY, BUILDING INSPECTOR  
THOMAS E. FOWLER, CHIEF OF POLICE  
JOHANNA M. COLEMAN, RECEIVER OF TAXES

**EXECUTIVE SESSION:**

UPON MOTION DULY MADE, SECONDED AND UNANIMOUSLY CARRIED, the Town Board voted at 10:00 P.M. to deliberate in Executive Session for the announced purpose of discussing a personnel matter.

At 10:25 P.M., the Town Board reconvened with all members present. The Town Clerk reported that no official actions were taken by the Town Board in Executive Session.

**PUBLIC HEARING SCHEDULED FOR 8:00 P.M.:**

At 8:00 P.M., the Town Board held a Public Hearing to consider the petition of the Bowmansville Volunteer Fire Association, Inc., for consent of the Town Board of the Town of Lancaster of the proposed issuance by the Volunteer Fire Association, Inc., of an obligation to Midwest Bankers Group, Inc., for the purchase of a KME Rescue Truck in the maximum principal amount of \$190,000.00, and to hear all persons interested in the subject matter thereof concerning the same.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

PROPOSERS

ADDRESS

William J. MacPeck,  
President, Bowmansville Vol. Fire Association

OPPOSERS

ADDRESS

None

COMMENTS & QUESTIONS

ADDRESS

Gloria Kubicki

15 Maple Drive

ON MOTION BY COUNCIL MEMBER KWAK, AND SECONDED BY COUNCIL MEMBER MILLER AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:10 P.M.

The Town Board, later in the meeting, adopted a resolution, hereinafter spread at length in these minutes, taking favorable action upon this matter.

PERSONS ADDRESSING TOWN BOARD:

**Bielman, Michael**, 62 Brady Avenue, spoke to the Town Board on the following matter:

Expressed opposition to a proposed insurance company settlement in the matter of Phillip and Cheryl Giambacorta vs the Town of Lancaster, etal.

**Guenther, James**, 562 Pavement Road, spoke to the Town Board on the following matter:

Urged the Town Board not to adopt a resolution prefiled on this evening's agenda amending the Town's present access to records policy by eliminating the provision for four, free page copies of a Freedom of Information Law Request.

**Knickerbocker, Dale**, 5164 Transit Road, spoke to the Town Board on the following matter:

Gave the Town Clerk \$20.00 to give to James Guenther who objected to paying \$.25 a copy for town records.

**Burkhardt, Guenther**, 5960 Broadway, spoke to the Town Board on the following matter:

Asked the Town Board to delay any decision on the Niagara Lutheran Home Rezone matter until he returns home from a vacation in early March.

**Farrell, Joyce**, 467 Pleasant View Drive, spoke to the Town Board on the following matter:

Asked for a change in the format at Planning Board meetings to allow the public to speak on matters before the Planning Board.

**Gull, Henry**, 710 Pavement Road, spoke to the Town Board on the following matter:

Questioned the height of the Tops warehouse structure. His calculations indicate that the structure exceeds the maximum height as permitted by the Special Use Permit issued by the Town Board.

**Heckl, Robert**, 706 Pavement Road, spoke to the Town Board on the following matter:

Asked about the present status of the proposed new Master Plan for the Town of Lancaster.

**Jankowiak, Mark**, 1318 Ransom Road, spoke to the Town Board on the following matter:

Suggested that Town Board meetings be taped for viewing on local cable television.

**Juszczak, Joseph**, 600 Pleasant View Drive, spoke to the Town Board on the following matter:

A proposed bridge interconnecting Southpoint Subdivision and Enchanted Forest North Subdivision.

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER KWAK, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER MILLER, TO WIT:

RESOLVED, that the minutes from the Joint Meeting of the Town Board  
and the Planning Board held on January 16, 1996, and the Regular Meeting of  
the Town Board held on January 16, 1996, be and are hereby approved.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 5, 1996

File: RMIN (P2)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER MONTOUR , WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPIAK , TO WIT:

WHEREAS, the Town Clerk has informed the Town Board that the March 7, 1996 Presidential Primary will be a one party primary with only two or three Republican Party Candidates on each voting machine of the Town of Lancaster and,

WHEREAS, Section 4-104(5) of the Election Law of the State of New York provides for consolidation of election districts located within the same polling place in Primary Elections if the candidates of each district are the same on each voting machine and the consolidation results in less than 1200 voters in a consolidated polling place, and

WHEREAS, the Town Clerk has informed the Town Board that he wishes to take advantage of Section 4-104(5) of the Election Law to save taxpayers \$7,485.00 in inspector payroll costs and over \$1,000. in voting machine delivery costs, and

WHEREAS, the Town Clerk has assured the Town Board that no voter will be inconvenienced by the consolidation since only districts located within the same polling place will be consolidated.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk of the Town of Lancaster be and is hereby authorized to petition the Erie County Board of Elections to consolidate election districts within the Town of Lancaster for the March 7, 1996 Presidential Primary pursuant to the provision of Section 4-104(5) of the Election Law of the State of New York, and

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized to take any further action necessary to effect the purpose and interest of this consolidation resolution

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 5, 1996

File: Rconsol.dis

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER KWAK, TO WIT:

WHEREAS, Pleasantview Associates, 2730 Transit Road, West Seneca, New York 14086, has applied to the Town Board of the Town of Lancaster a for permit to construct a Public Improvement upon real property in the Town of Lancaster within Stony Brook Subdivision, Phase IV(B)

WHEREAS, the Town Engineer of the Town of Lancaster has certified on the following permit application that he has reviewed the improvement plans and permit application for the installation of the public improvement requested, and that it conforms to the Ordinances of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that Public Improvement Permit Application No. 430 of Pleasantview Associates, 2730 Transit Road, West Seneca, New York, for the installation of:

P.I.P. No. 430 - Map Cover #2633 Lots 137-143, 163-178, 194-201, 213 and 214, six (6) standards complete with fixtures, lamps and photo controls as per street light plan prepared by NYSEG.

be and is hereby approved and the installation of the improvement requested be and is hereby authorized.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 5, 1996

File: RPIP (P8)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCIL MEMBER  
KWAK , TO WIT:

WHEREAS, Proctor and Gamble Co., the maker of such popular household items as Tide detergent and Pampers diapers, has decided to use the Western New York area as a test site to see the results of a program that would drop the use of shoppers' coupons for their products, and

WHEREAS, this is certainly bad news for shoppers who use coupons regularly to save their family money and help balance the household budget, and

WHEREAS, beginning February 1, 1996, Proctor and Gamble Co. said they will stop distributing coupons for its products in Buffalo, Rochester and Syracuse as part of a test for its industry, and

WHEREAS, the company said its coupon test is based on research that shows coupon redemption rates fell from 3.5 percent in 1983 to 2 percent in 1994, and that consumers prefer everyday low prices instead of coupons, and

WHEREAS, 2 percent is still a lot of people, mostly a large group of senior citizens and others with smaller or fixed incomes who use the coupons as a vital part of their family budget, and these people will definitely be hurt financially by this coupon-dropping test of Proctor and Gamble, and

WHEREAS, Buffalo is a big market for coupon redemption with four major supermarket chains vying for customers' business and using double and sometimes triple-coupon values in their grocery stores to lure shoppers, and

WHEREAS, while it is true that shoppers love everyday low prices, they also love their coupons, especially in this competitive market in Buffalo where doubling is now a common act of life in most supermarkets.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster does hereby state its opposition to Proctor and Gamble's decision to drop the use of coupons for its products in the Western New York area as part of an ongoing test for the consumer products industry, and

BE IT FURTHER

RESOLVED, that this Body is concerned that such a move will be costly to the average shopper and especially senior citizens on fixed incomes who depend so heavily on the use of coupons to help them meet their weekly shopping needs while staying on budget, and



BE IT FURTHER

RESOLVED, that this Body calls upon the Proctor and Gamble Co. to reconsider its decision to use the Buffalo area and upstate New York for its coupon-dropping test and urges the company to restore the availability and use of coupons for its many varied and popular products here in Buffalo and Western New York, and

BE IT FURTHER

RESOLVED, that the Supervisor forward a certified copy of this resolution to the Proctor and Gamble Co. of Cincinnati, Ohio and County Executive Gorski.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTGOMERY	VOTED YES
COUNCIL MEMBER STERNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 5, 1996

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCIL MEMBER  
KWAK, TO WIT:

WHEREAS, the Town of Lancaster has upgraded the computers in the Supervisor's, Town Clerk's and Town Attorney's Offices from the present, increasingly expensive, proprietary Data General Environment to a less expensive, more widely used, non-proprietary DOS with Windows 95 environment, and

WHEREAS, it is necessary to provide training on the new system to three (3) staff members in the Supervisor's Office, three (3) staff members in the Town Clerk's Office, one (1) staff member in the Town Attorney's Office, the Town Clerk and the Director of Administration and Finance, and

WHEREAS, the Town Clerk and the Director of Administration and Finance have negotiated with New Horizons Computer Learning Centers, Inc. for the necessary training on the new computer system, and

WHEREAS, New Horizons Computer Learning Centers, Inc., by fax transmittal dated January 26, 1996, has submitted three (3) training options to the Town Clerk and Director of Administration and Finance for both on site and off site training, and

WHEREAS, the Town Clerk and Director of Administration and Finance both recommend acceptance of proposal Option 1 in the amount of \$4,254.00,

NOW, THEREFORE, BE IT

RESOLVED, as follows:

SECTION 1: That the Town Board of the Town of Lancaster hereby accepts Option 1 of a proposal submitted by New Horizons Computer Learning Centers, Inc., 2295 Millersport Highway, Getzville, New York 14068, to provide computer training to nine (9) Town Hall employees at a total cost of \$4,254.00.

SECTION 2: That the following transfer of funds within the 1996 adopted General Fund Budget of the Town of Lancaster be and is hereby adopted:

<u>FUND APPROPRIATIONS</u>	<u>INCREASE</u>	<u>DECREASE</u>
01-1410-0412 Education Expenses	4254.00	
01-1450-0100 Personal Services		4254.00

SECTION 3: That the training authorized herein be charged against the Education Expense Account of the Town Clerk.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 5, 1996

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER GIZA, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER KWAK, TO WIT:

WHEREAS, Lovejoy Builders, Inc., 1164 Lovejoy Street, Buffalo, New York 14206, has applied to the Town Board of the Town of Lancaster a for permit to construct a Public Improvement upon real property in the Town of Lancaster within Michael's Landing Subdivision, and

WHEREAS, the Town Engineer of the Town of Lancaster has certified on the following permit application that he has reviewed the improvement plans and permit application for the installation of the public improvement requested, and that it conforms to the Ordinances of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that Public Improvement Permit Application No. 431 of Lovejoy Builders, Inc., 1164 Lovejoy Street, Buffalo, New York 14206, for the installation of:

P.I.P. No. 431      16' O.L. 12' A.F.G. shaft tapered tube,  
(Street Lights)      aluminum alloy 6063 T6. thickness. 125" taper to  
                                 3" - 5", spun aluminum satin ground finish.  
                                 Location - east side lot 48 between 3 & 4,  
                                 between 6 & 7, between lots 41 & 40 to Town  
                                 specifications. Michael's Landing Subdivision,  
                                 Sagebrush Lane

be and is hereby approved and the installation of the improvement requested be  
and is hereby authorized.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 5, 1996

File: RPIP (P9)

THE FOLLOWING RESOLUTION WAS OFFERED BY  
COUNCIL MEMBER MILLER , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL MEMBER  
MONTGOMERY , TO WIT:

A RESOLUTION MAKING CERTAIN DETERMINATIONS IN RELATION TO THE  
PETITION OF THE BOWMANVILLE VOLUNTEER FIRE ASSOCIATION, INC.,  
FOR THE CONSENT OF THE TOWN BOARD OF THE TOWN OF LANCASTER OF  
THE PROPOSED ISSUANCE BY THE BOWMANVILLE VOLUNTEER FIRE  
ASSOCIATION, INC., OF AN OBLIGATION TO THE MIDWEST BANKERS  
GROUP, INC., FOR THE PURCHASE OF ONE (1) KME RESCUE TRUCK

WHEREAS, the Bowmanville Volunteer Fire Association, Inc., has  
contracted for the purchase of a KME Rescue Truck to be garaged at 36 Main  
Street, Bowmanville, New York, and to be utilized for firefighting or  
emergency services for persons within the jurisdiction of the Town of  
Lancaster, and

WHEREAS, the proposed method of financing the cost of said  
acquisition consists of the issuance of obligations of said Bowmanville  
Volunteer Fire Association, Inc., in the maximum amount of \$190,000, maturing  
in annual installments over a period not exceeding twenty years, to be paid  
from receipts of the department sufficient to pay the principal of and  
interest on said obligations as the same become due and payable, in the manner  
provided by law; and

WHEREAS, the Midwest Bankers Group, Inc., has agreed to purchase the  
obligation intending to be issued by the Bowmanville Volunteer Fire  
Association, Inc., with respect to said acquisition; and

WHEREAS, the Bowmanville Volunteer Fire Association, Inc., has  
petitioned the Town Board for approval to have such obligation treated as a  
bond of a political subdivision of a state pursuant to the provisions of 26  
USCS 150(e); and

WHEREAS, an Order was duly adopted by said Town Board on January 16,  
1996, reciting a description of the firefighting equipment proposed to be  
purchased by the Bowmanville Volunteer Fire Association, Inc., the maximum  
amount proposed to be expended for such acquisition, and specifying the 5th  
day of February, 1996, at 8:00 o'clock p.m., prevailing time, at the Board

Room of the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York, in said Town, as the time when and the place where said town board would meet for the purpose of holding a public hearing to consider the petition of the Bowmansville Volunteer Fire Association., Inc., for the consent of the Town Board of the Tow of Lancaster of the proposed issuance by the Bowmansville Volunteer Fire Association, Inc., of an obligation to the Midwest Bankers Group, Inc., for the purchase of said KME Rescue Truck, and to hear all persons interested in the subject matter concerning the same, and

WHEREAS, Notice of the aforesaid public hearing was duly published and posted in the manner and within the time prescribed by 26 USCS 147(f), and proof of said publication and posting has been duly presented to said Town Board, and

WHEREAS, said public hearing was duly held at the time and place in said Order, as aforesaid, at which all persons desiring to be heard were duly heard, and

WHEREAS, said Town Board has duly considered said petition of the Bowmansville Volunteer Fire Association, Inc., and the evidence given at said public hearing;

NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Lancaster, Erie County, New York, as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined as follows:

- (a) The Notice of Hearing was published and posted as required by Law, and is otherwise sufficient;
- (b) The Bowmansville Volunteer Fire Association, Inc., is a qualified fire department with respect to an area within the jurisdiction of the Town of Lancaster as such term is defined by 26 USCS 150(e)(2), the same being organized and operated to provide firefighting or emergency medical services for persons within the Town of Lancaster which is not provided by any other firefighting services and which is required by written agreement with the Town of Lancaster to furnish firefighting services to said area;
- (c) The Bowmansville Volunteer Fire Association, Inc., has contracted for the purchase of a KME Rescue Truck to be garaged at 36 Main Street, Bowmansville, New York, and to be utilized for firefighting or emergency services for persons within the jurisdiction of the Town of Lancaster;

- (d) The proposed method of financing the cost of said acquisition consists of the issuance of obligations of said Bowmansville Volunteer Fire Association, Inc., in the maximum amount of \$190,000, maturing in annual installments over a period not exceeding twenty years, to be paid from receipts of the department sufficient to pay the principal of and interest on said bonds as the same become due and payable, in the manner provided by law;
- (e) Said publication is intended to be issued as part of an issue 95 percent or more of the net proceeds of which are to be used for the acquisition of said rescue truck;
- (f) Treatment of said obligation as a bond of a political subdivision of the state pursuant to the provisions of 26 USCS 150(e) is in the public interest and serves a public purpose.

Section 2. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 5, 1996

THE FOLLOWING RESOLUTION WAS OFFERED BY  
COUNCIL MEMBER STEMPNIAK , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL MEMBER  
KWAK , TO WIT:

WHEREAS, NIAGARA LUTHERAN HOME & REHABILITATION CENTER, 64 Hager Street, Buffalo, New York, the owner of a parcel of property located on the south side of Broadway, east of Cemetery Road and locally known as 5949 Broadway, in the Town of Lancaster, New York, has petitioned the Town Board of the Town of Lancaster for the rezone of said property from an MFR 3 - Multi-Family District Three and AR-Agricultural-Residential District to an RCO-Residential Commercial Office District, and

WHEREAS, the petition has been referred to the Planning Board of the Town of Lancaster for its recommendation and report;

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Sections 130 and 265 of the Town Law of the State of New York a Public Hearing on the proposed rezone will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 26th day of February, 1996, at 8:15 o'clock P.M., Local Time, and that Notice of the time and place of such hearing be published in the Lancaster Bee, a newspaper of general circulation in said Town and be posted on the Town Bulletin Board, and that Notice of such Hearing be referred to the Erie County Department of Planning, pursuant to Section 239(m) of the General Municipal Law, which Notice shall be in form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 5, 1996



LEGAL NOTICE  
PUBLIC HEARING  
NIAGARA LUTHERAN HOME REZONE  
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 5th day of February, 1996, the said Town Board will hold a Public Hearing on the 26th day of February, 1996, at 8:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the following proposed amendment to the Zoning Ordinance and Zoning Map of the Town of Lancaster, rezoning the following described real property, from an MFR-3 Multi-family District Three and AR-Agricultural Residential District to an RCO-Residential Commercial Office District:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Lancaster, County of Erie and State of New York being part of Lot Number 9, Section 4, Township 11, Range 6 of the Holland Land Company's Survey bounded and described as follows:

BEGINNING at a point in the center line of Broadway, being two thousand seven hundred seventeen and eighty-four hundredths (2,717.84) feet west of its intersection with the center line of Pavement Road which is the east line of Lot Number Seven (7);

THENCE southerly parallel to the east bounds of Lot Number Nine (9), a distance of forty-two and thirty-two hundredths (42.32) feet to the actual point of beginning, which point of beginning is the northwest corner of premises at 5977 Broadway;

THENCE continuing southerly, parallel with the east line of Lot Number Nine (9), a distance of one hundred eighty-two and sixty-eight hundredths (182.68) feet;

THENCE easterly two hundred forty-nine and sixty-four hundredths (249.64) feet to a point;

THENCE southerly at an interior angle of  $103^{\circ}00'15''$ , a distance of one hundred twenty-five (125.0) feet;

THENCE easterly at an exterior angle of  $103^{\circ}00'15''$ , a distance of one hundred seventy-five (175.0) feet to the east line of Lot Number Nine (9);

RUNNING THENCE southerly along the east line of Lot Number Nine (9), one hundred fifty (150.0) feet to the northeast corner of lands conveyed to Cayuga Heights Holding Corp., by deed recorded in the Erie County Clerk's Office in Liber 1865 of Deeds at Page 346;

RUNNING THENCE northwesterly along the northeasterly line of said lands six hundred eighty-two and seventy-nine hundredths (682.79) feet (682.14 record) to the northwest corner of said lands conveyed to Cayuga Heights Holding Corp., said point being in the westerly line of lands conveyed to Eugene I. Mang by deed recorded in the Erie County Clerk's Office in Liber 1131 of Deeds at Page 114;

THENCE southerly along the west line of premises described in Liber 1865 of Deeds at Page 346, a distance of two thousand seven hundred seventy-four and twenty-five hundredths (2,774.25) feet to the south line of Lot Number Nine (9);

THENCE westerly along said south line of Lot Number Nine (9), six hundred seventy-six and fifteen hundredths (676.15) feet to a point in the west bounds of Lot Number Nine (9);

THENCE northerly at an interior angle of  $90^{\circ}00'20''$  along the west bounds of Lot Number Nine (9), a distance of three thousand three hundred eighty and four hundredths (3,380.04) feet to the south bounds of Broadway;

THENCE easterly along the south bounds of Broadway, a distance of three hundred seventy-eight and sixty-three hundredths (378.63) feet;

THENCE southerly at an interior angle of  $102^{\circ}42'15''$  a distance of one hundred seventy-nine and sixty-five hundredths (179.65) feet;

THENCE easterly, parallel with the south line of Broadway a distance of three hundred seven and ninety-two hundredths (307.92) feet;

THENCE southerly along the west line of premises described in Liber 1131 of Deeds at Page 114, a distance of seventy-five (75.0) feet;

THENCE easterly at an exterior angle of  $103^{\circ}00'15''$  a distance of one hundred eighty-three and fifteen hundredths (183.15) feet;

THENCE northerly at an exterior angle of  $76^{\circ}59'45''$ , a distance of three hundred (300.0) feet to the center line of Broadway;

THENCE easterly along said center line a distance of seventy-five (75.0) feet to the point or place of beginning.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE  
TOWN OF LANCASTER

By: ROBERT P. THILL  
Town Clerk

Dated: February 5, 1996

THE FOLLOWING RESOLUTION WAS OFFERED BY  
COUNCIL MEMBER KWAK , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL MEMBER  
STEMPNIAK , TO WIT:

WHEREAS, the Town of Lancaster has heretofore provided a Nutrition Program for the Elderly, and

WHEREAS, it is necessary to execute an Agreement between the Town of Lancaster and the County of erie for the extension of this program in 1996;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the Supervisor be and is hereby authorized to execute an Agreement between the Town of Lancaster and the County of Erie for the operation of a Nutrition Program for the Elderly for the year 1996; and

2. That the Director of Administration and Finance be and is hereby authorized to sign the vouchers with funds to be received by the Supervisor.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 5, 1996

File: RNUTRIT.296

THE FOLLOWING RESOLUTION WAS OFFERED BY  
COUNCIL MEMBER MILLER , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL MEMBER  
MONTOUR , TO WIT:

A RESOLUTION APPROVING THE OBLIGATION OF BOWMANVILLE VOLUNTEER  
FIRE ASSOCIATION, INC., FOR TREATMENT AS A BOND OF A POLITICAL  
SUBDIVISION OF THE STATE PURSUANT TO THE PROVISIONS OF 26 USCS  
150(e)

WHEREAS, heretofore at this meeting a resolution was duly adopted by  
this Town Board, making certain determinations with respect to the issuance by  
the Bowmansville Volunteer Fire Association, Inc., of an obligation to the  
Midwest Bankers Group, Inc., for the purchase of One (1) KME Rescue Truck;

NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Lancaster, Erie County,  
New York, as follows:

Section 1. The issuance by the Bowmansville Volunteer Fire  
Association, Inc., of an obligation to Midwest Bankers Group, Inc., for the  
purchase of One (1) KME Rescue Truck, in the maximum amount of \$190,000 and  
maturing in annual installments over a period not exceeding twenty years, to  
be paid from receipts of the department sufficient to pay the principal of and  
interest on said obligations as the same become due and payable, in the manner  
provided by law, be and is hereby approved for treatment as a bond of a  
political subdivision of the state pursuant to the provisions of 26 USCS  
147(f) and 26 USCS 150(e).

Section 2. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 5, 1996

File: RBVLTX3.296

THE FOLLOWING RESOLUTION WAS OFFERED BY  
COUNCIL MEMBER STEMPNIAK, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCIL MEMBER  
KWAK ,TO WIT:

WHEREAS, SUSAN T. PALUMBO, 9 Brunck Road, Lancaster, New York 14086,  
the owner of real property situate at 9 Brunck Road in the Town of Lancaster,  
has submitted an application for a Special Use Permit for a Home Occupation  
(Beauty Salon) in accordance with provisions of Chapter 50-Zoning Section 17  
(F) of the Code of the Town of Lancaster;

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Chapter 50-Zoning, Section 17 (F),  
entitled "Home Occupations", of the Code of the Town of Lancaster, a Public  
Hearing on the proposed Special Use Permit for a Home Occupation (Beauty  
Salon) on premises locally known as 9 Brunck Road in the Town of Lancaster,  
New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New  
York, on the 26th day of February, 1996, at 8:05 o'clock P.M., Local Time, and  
that notice of the time and place of such hearing be published in the  
Lancaster Bee, a newspaper of general circulation in said Town, and be posted  
on the Town Bulletin Board and that a copy of such Notice of Hearing be  
referred to the Erie County Department of Planning, pursuant to Section 239(m)  
of the General Municipal Law, which Notice shall be in the form attached  
hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 5, 1996

LEGAL NOTICE  
PUBLIC HEARING  
SPECIAL USE PERMIT - PALUMBO  
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the authority set forth in Chapter 50-Zoning, Section 17 (F), "Home Occupations" of the Code of the Town of Lancaster, and the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster adopted on the 5th day of February, 1996, the said Town Board will hold a Public Hearing on the 26th, day of February, 1996, at 8:05 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the application of Susan T. Palumbo for a Special Use Permit, for a Home Occupation (Beauty Salon) on premises locally known as 9 Brunck Road, Town of Lancaster, County of Erie, State of New York.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE  
TOWN OF LANCASTER

By: ROBERT P. THILL  
Town Clerk

February 5, 1996

THE FOLLOWING RESOLUTION WAS OFFERED BY  
COUNCIL MEMBER KWAK, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL MEMBER  
MILLER, TO WIT:

WHEREAS, the New York State Education Department has awarded the Erie 1 BOCES a grant for the period September 8, 1995 to September 7, 1996, in the amount of \$30,200.00 to fund six (6) municipalities, which includes the Town of Lancaster, to operate Youth Volunteer programs through the municipal youth bureaus, and

WHEREAS, the Erie 1 BOCES has authorized the Chief Executive Officer to enter into a contract with the Town of Lancaster for the amount of \$5,033.34 and

WHEREAS, the Town Board desires to enter into a contract with the Erie 1 BOCES for the amount of \$5,033.34;

NOW, THEREFORE, BE IT  
RESOLVED, as follows:

1. That the Supervisor of the Town of Lancaster is authorized to enter into a contract with the Erie 1 BOCES in the amount of \$5,033.34 to continue a Youth Volunteer Program through the Town of Lancaster Youth Bureau, and
2. That a certified copy of this resolution be forwarded to the Erie 1 BOCES, together with a duly executed contract.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTGOMERY	VOTED YES
COUNCIL MEMBER STERNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 5, 1996

File: RYBYVPRO.296

THE FOLLOWING RESOLUTION WAS OFFERED BY  
SUPERVISOR GIZA, WHO MOVED ITS ADOPTION,  
SECONDED BY COUNCIL MEMBER KWAK ,  
TO WIT:

WHEREAS, the Natural Heritage Trust, under the operation of the New York State Office of Parks, Recreation and Historic Preservation, has awarded the Town of Lancaster a grant in the amount of \$32,000.00 to construct a pedestrian bridge across Slate Bottom Creek, and

WHEREAS, the grant award will fund the bridge construction, including bridge abutments, approach, sidewalk, fencing and stream bank protection, and

WHEREAS, the project budget includes the cost associated with the Town of Lancaster providing design engineering, plan and specification preparation, printing, advertising for bids, and on-site inspection, and

WHEREAS, construction of the pedestrian bridge will allow residents from Southpoint and Forestream Subdivisions a safe passage across Slate Bottom Creek;

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and is hereby authorized and directed to execute all documents pertaining to the acquisition of said funding.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 5, 1996



THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCIL MEMBER  
KWAK , TO WIT;

WHEREAS, the Executive Director of the Youth Bureau, by letter dated January 30, 1996, has recommended the appointment of the following individuals to the positions of Tutor with the Youth Bureau of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that Lisa N. Martini, 103 Pavement Road, Lancaster, New York 14086, Dawn G. Horbett, 58 Colony Street, Depew, New York 14043, Kelly L. Novick, 74 Vandenberg Avenue, Lancaster, New York 14086, are hereby appointed to the positions of Tutor with the Town of Lancaster Youth Bureau, effective February 5, 1996 at an hourly rate of \$9.00, and

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 5, 1996

File: RTUTOR (P3)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCIL MEMBER  
MONTOUR, TO WIT:

WHEREAS, the sponsor of this resolution, by memorandum dated January 31, 1996 has requested the appointment of Lynn Pernick to the full-time, permanent Civil Service Position of Program Coordinator - Youth Board in the Youth Bureau of the Town of Lancaster, and

WHEREAS, the Personnel Office of the County of Erie has informed the Supervisor of the Town of Lancaster that LYNN PERNICK has successfully passed a civil service examination for this position,

NOW, THEREFORE, BE IT

RESOLVED, that LYNN PERNICK, 51 School Street, Lancaster, New York 14086, be and is hereby appointed to the full-time, permanent civil service position of Program Coordinator - Youth Board, in the Youth Bureau of the Town of Lancaster effective February 5, 1996 at the union salary of \$26,876.00 as set forth in the 1996 Schedule of salaries.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 5, 1996

File: RPERS.CIV (P2)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCIL MEMBER  
STEMPNIAK, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster, on January 1, 1996, adopted a resolution acknowledging the appointments by the Supervisor, Town Clerk, Receiver of Taxes and Registrar of Vital Statistics, and

WHEREAS, the appointment by the Supervisor of Robert Labinski as Drainage Officer was inadvertently omitted from this resolution, and

WHEREAS, the sponsor of this resolution wishes to amend the resolution adopted January 1, 1996 to include the appointment of Robert Labinski as Drainage Officer,

NOW, THEREFORE, BE IT

RESOLVED, that the resolution adopted by the Town Board of the Town of Lancaster on January 1, 1996 acknowledging the appointments by the Supervisor, Town Clerk, Receiver of Taxes and Registrar of Vital Statistics, be and is hereby amended by adding the following:

Labinski, Robert H., as Drainage Officer, part time, to serve at the will of the Supervisor

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 5, 1996

File: RBLANK (P3)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MILLER, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster, on January 1, 1996, adopted a resolution setting forth the 1996 Schedule of Salaries to be paid to non-union Town of Lancaster personnel, and

WHEREAS, the salary of the Accountant Part-time in the office of the Supervisor of the Town of Lancaster was incorrectly stated, and

WHEREAS, the sponsor of this resolution wishes to amend the resolution adopted January 1, 1996 to correctly state this salary,

NOW, THEREFORE, BE IT

RESOLVED, that the resolution adopted by the Town Board of the Town of Lancaster on January 1, 1996 setting forth the salary for Accountant Part-time in the Supervisor's office for the year 1996 be and is hereby amended as follows:

Delete:	Supervisor, Accountant, P.T. (Myers)	\$22,880.00
Substitute:	Supervisor, Accountant, P.T. (Myers)	\$21.84 Hr.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTGOMERY	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 5, 1996

File: RBLANK

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster, on January 1, 1996, adopted a resolution setting forth the 1996 Schedule of Salaries to be paid to members of the Cayuga Club, and

WHEREAS, the salary of Patrol Officer on step - Michael D. Cronin was incorrectly stated, and

WHEREAS, the sponsor of this resolution wishes to amend the resolution adopted January 1, 1996 to correctly state this salary,

NOW, THEREFORE, BE IT

RESOLVED, that the resolution adopted by the Town Board of the Town of Lancaster on January 1, 1996 setting forth the salary for Patrol Officer, on step - Michael D. Cronin for the year 1996 be and is hereby amended as follows:

Delete: Salary as stated in resolution.

Substitute: Patrol Officer on step -  
Full is \$42,416.00 annually  
80% 1/1/96 to 1/30/96 \$34,215.00  
85% 1/31/96 to 7/30/96 36,054.00  
90% 7/31/96 to 12/31/96 38,174.00

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 5, 1996

File: RBLANK

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER KWAK , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER MILLER , TO WIT:

WHEREAS, the Town of Lancaster's Records Management Officer (RMO) and Records Access Officer (RAO), by letter dated January 29, 1996, has requested an amendment to the Records Access Rules and Regulations adopted by the Town Board on May 1, 1978, which amendment in effect would eliminate the present practice of copy fee exemption for the first four (4) pages of records requested to be copied,

NOW, THEREFORE, BE IT

RESOLVED, as follows:

SECTION 1: That Article VI Fees, Section (b)(1)(a) of the "Rules and Regulations of the Town of Lancaster, With Relation To Public Inspection And Copying Of Such Town Records As Are Subject To Public Inspection" as adopted by the Town Board on May 1, 1978, be and is hereby amended by deleting this section in its entirety and substituting therefore the following:

"VI. FEES

b. 1. Except where fees or exemptions from fees have been established by law, rule or regulation prior to September 1, 1974, fees shall be as follows:

a. Pages not larger than 8 1/2" x 14" and conducive to present copy machine equipment: \$0.25 a page."

No copy fee shall be charged for:

1. A copy of a tax receipt or similar document indicating payment of monies to the Town of Lancaster requested by a person named in the document or having a legal interest in the document.
2. At the option of any department head, a copy of the first ten (10) pages of any document, deemed by that department head as necessarily given to a requestor in order to enhance the effective delivery of services by that department.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 5, 1996

File: RRECORDS.MGT (P7)

THE FOLLOWING RESOLUTION WAS OFFERED BY  
SUPERVISOR GIZA, WHO MOVED ITS ADOPTION,  
SECONDED BY COUNCIL MEMBER KWAK, TO WIT:

WHEREAS, the Federal Highway Administration (FHWA) and the Department of Transportation (DOT) have issued Federal Regulations (49 CFR Parts 40 and 382) which implement the provisions of the Federal Omnibus Transportation Employee Act of 1991 and require the alcohol and controlled substance testing of drivers holding commercial driver's licenses (CDL), and

WHEREAS, municipalities employing drivers with a CDL must comply with the beforementioned regulations which include adopting a policy for testing such employees, and

WHEREAS, the Town Attorney has prepared a policy to meet the federal regulatory requirements which the Town Board, after review and consideration deems appropriate to adopt;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the Town Board of the Town of Lancaster hereby adopts a Drug and Alcohol Testing Policy for CDL drivers, which Policy is on file in the office of the Town Clerk; and

2. The Town Clerk is hereby directed to forward this policy to all affected department heads for immediate distribution to employees holding a CDL operator's license.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 5, 1996

THE FOLLOWING RESOLUTION WAS OFFERED BY  
COUNCIL MEMBER MILLER , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL MEMBER  
STEMPNIAK , TO WIT:

WHEREAS, BOWMANVILLE VOLUNTEER FIRE ASSOCIATION, INC.; MILLGROVE  
VOLUNTEER FIRE DEPARTMENT, INC.; TOWN LINE VOLUNTEER FIRE DEPARTMENT, INC. and  
TWIN DISTRICT VOLUNTEER FIRE COMPANY, INC., have heretofore entered into  
contracts with the Town of Lancaster to furnish fire protection to the Town of  
Lancaster, and

WHEREAS, separate hearings on each fire protection contract for the  
above fire companies were held on the 4th day of December, 1995, pursuant to  
legal notice duly given;

NOW, THEREFORE, BE IT  
RESOLVED, as follows:

1. That in accordance with Section 184 of the Town Law of the  
State of New York, the Town Board of the Town of Lancaster hereby determines  
it is in the public interest to enter into contracts with said fire companies,  
effective January 1, 1996, upon the following general terms, to wit:

- A. Each fire company shall answer and attend upon all calls  
within the Fire Protection District, and provide emergency  
first aid and rescue services as defined in Section 184 of  
the Town Law and Section 209-b of the General Municipal  
Law, in that territory described in said proposed contract  
filed in the Town Clerk's Office.
- B. For such services, the said fire companies shall receive  
payment for one year commencing January 1, 1996 and  
terminating December 31, 1996.
- C. Such other incidental terms as may be necessary or proper  
in connection with such contracting.

2. That the Supervisor execute and deliver an Agreement  
incorporating said terms to said fire companies.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 5, 1996

File: RAPRVFCT.296



THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCIL MEMBER  
MONTOUR, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby  
ordered paid from their respective accounts:

Claim No. 6226 to Claim No. 6539 Inclusive

Total amount hereby authorized to be paid: \$1,311,422.49

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 5, 1996

File: RCLAIMS

THE FOLLOWING RESOLUTION WAS OFFERED  
 BY COUNCIL MEMBER KWAK, WHO MOVED  
 ITS ADOPTION, SECONDED BY COUNCIL  
 MEMBER STEMPNIAK TO WIT:

RESOLVED, that the following Building Permit Applications be and are hereby approved and the issuance of these Building Permits be and are hereby authorized:

## CODE:

(SW) = Sidewalks as required by Chapter 12-1B of the Code of the Town of Lancaster are waived for this permit.

No	Code	Applicant	Street Address	Structure
3110		Marrano Marc Equity	12 Stonehedge Dr	Er. Sin. Dwlg
3111		Forbes Homes Inc	30 Hill Valley Dr	Er. Sin. Dwlg
3112		Kevin R. Haefner	52 Quail Run Ln	Er. Shed
3113		BSC Construction Co Inc	5816 Broadway	Alt/ Apart Bldg
3114		M J Ogiony Bldrs	47 Village View	Er. Sin. Dwlg
3115		All Craft	35 Rue Madeleine Wa	Er. Sin. Dwlg
3116		John Kicak	390 Central Ave	Er Gas Fireplace
3117		Owczarczak Enterprises Inc	20 Clermont Ct	Er. Sin. Dwlg
3118		Lancaster Country Club	6061 Broadway	Rem/Sin tanks
3119		All Craft Homes	19 Ryan St	Er. Sin. Dwlg
3120		Marrano/Marc Equity	12 Riemers Ave	Er. Sin. Dwlg
3121		Burke Bros	21 Clermont Ct	Er. Sin. Dwlg
3122		Burke Bros Inc	12 Ryan St	Er. Sin. Dwlg
3123		Marrano/Marc Equity	18 Clermont Ct	Er. Sin. Dwlg
3124		Theobald Sokolowski	5167 Genesee St	Ex. Sin. Dwlg
3125		M J Ogiony Bldrs	11 Signal Dr	Er. Sin. Dwlg
3126		Capretto Homes	21 Ryan St	Er. Sin. Dwlg
3127		Iona Associates Inc	33 Hill Valley Dr	Er. Sin. Dwlg
3128		Essex Homes of WNY	16 Clermont Ct	Er. Sin. Dwlg
3129		Charles E Keech	451 Pleasant View Dr	Dem/Er Garage
3130		SiHone Bldg Co	93 Michael's Wlk	Er. Sin. Dwlg
3131		Marrano/Marc Equity	14 Bentley Cir	Er. Sin. Dwlg
3132		Marrano/Marc Equity	27 Woodgate Dr	Er. Sin. Dwlg

and,

## BE IT FURTHER

RESOLVED, that the Building Permit applications herein coded (SW) for sidewalk waiver be and are hereby approved with a waiver of the provisions of Chapter 12-1B of the Code of the Town of Lancaster which requires sidewalks in front of every new home.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 5, 1996

Supervisor Giza requested a suspension of the necessary rule for immediate consideration of the following resolution -  
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCIL MEMBER  
MILLER , TO WIT:

WHEREAS, the sponsor of this resolution desires to create the position of General Crew Chief in the service of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to complete and sign Form PO-17 (New Positions Duties Statement) for the purpose of obtaining the appropriate service title for the anticipated position of General Crew Chief in the service of the Town of Lancaster, and

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTGOMERY	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

February 5, 1995

File: RPERS.CRE (P8)

COMMUNICATIONSDISPOSITION

47. Adams Nurseries, Inc. to Town Clerk - Letter of explication regarding moving of Sterling house over Krieger property.	TOWN CLERK TOWN ATTORNEY
48. Town Clerk to Town Board Results of research and request for direction re: street lighting installation and energized lights within Eastwood Village North development on Transit Blvd. without issuance of public improvement permit.	TOWN ENGINEER
49. Police Chief to Council Member Miller and Town Attorney - Transmittal of letter from NYSDOT relative to the use of flag persons at Tops construction site.	R & F
50. Town Clerk to Zoning Board Members, Building Inspector and Town Attorney - Transmittal of variance petition for meeting to be held 2/8/96.	R & F
51. Planning Board to Town Board - Minutes from meeting held 1/17/96.	R & F
52. Planning Board to Town Board - Recommends approval of site plan for Lakeland Leasing.	TOWN ATTORNEY
53. Director of Parks and Recreation to Supervisor and Town Board - Transmittal of concerns and solution to kiln setup at Senior Citizen Center.	R & F
54. Town Clerk to Building Inspector - Notice of suspension of issuance of building permits within Thruway Industrial Park.	R & F
55. Highway Superintendent to Town Board - Recommendations regarding Clark Street bridge.	HIGHWAY COMMITTEE
56. Supervisor to Town Board - Transmittal of committee assignments for 1996 and 1997.	R & F
57. Betty Lou Krieger to Town Board - Comments regarding the moving of house across her property.	R & F TOWN ATTORNEY
58. Director of Parks and Recreation to Town Board - Requesting advise for an incentive for drivers for Senior Van.	PARKS AND RECREATION COMMITTEE
59. U.S. Dept of Justice to Town Board - Comments regarding new developments in regard to COPS funding in light of federal budget.	R & F
60. Dept. of Senior Services to Supervisor - Transmittal of copy of 1996 contract for operation of Dining Site.	R & F
61. State Education Department to Lancaster Central School District - Notice of SEQR Negative Declaration for NEW GRADES 5-6, New Construction.	R & F
62. BFI of NY to Supervisor - Comments regarding medical waste disposal.	R & F
63. State of New York Public Service Commission to Town Board - Transmittal of change of address for cable Television matters.	R & F

64. NYS Office of Parks, Recreation and Historic Preservation to Supervisor - Notice of award of matching grant for Lancaster Community Gardens project.	Page 126 R & F
65. Blue Cross & Blue Shield of WNY to Supervisor - Transmittal of rate chart for increase in rates.	R & F
66. NYS Office of Parks Recreation and Historic Preservation to Supervisor - Negative notice of funding for the Lancaster Natatorium & Fitness Center project.	R & F
67. Congress Member Quinn to President Clinton - Requesting funds for state of emergency.	R & F
68. NYSDOT to Town Board - Transmittal of "Notice of Availability of Finding of No Significant Impact" for Transit Road.	R & F
69. Town Attorney to NYSDOT - Notice of the desire of the Town of Lancaster to act as lead agency for proposed rezone and construction of Commercial Center on E. side of Transit Road.	R & F
70. Eastwood North Association, Inc to Town Board - Second request for sign on Transit Blvd.	PUBLIC SAFETY COMMITTEE
71. Supervisor to Thomas Anticola - Acceptance of resignation as member of Zoning Board of Appeals.	R & F
72. Chemical Bank to Supervisor - Request opportunity to perform a test run of Collection Box Service.	R & F
73. D/E/L Chamber of Commerce to Assemblyman Anderson Urge study to relocate the Williamsville Toll Barrier.	R & F
74. Millgrove V.F.D. to Town Board - Transmittal of Firematic Officers for 1996.	R & F
75. George MacPeck to All Town Departments - Notice of possibility of holding another CPR course for town personnel.	R & F
76. George MacPeck to Disaster Response Committee - Notice of rescheduling of meeting date.	R & F
77. Town of Amherst to State of New York - Notice of support for relocation of Williamsville Toll Barrier.	R & F
78. Walter Ferry to Town Engineer - Transmittal of sketch of curb section for Autumn Park Subdivision.	R & F
79. Director of Parks & Recreation to Supervisor - Quote and summary of work needed for heaters in Highway Garage.	R & F
80. ECDEP to Supervisor - Comments and suggestions re: request for proposal for GIS tax map data.	R & F
81. Youth Bureau Director to Supervisor - Recommendation of permanent full-time Program Coordinator - Youth Bureau.	R & F
82. Youth Bureau Director to Supervisor & Town Board - Recommendation of tutors for tutorial program.	R & F

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|--|------------------------------------|
| 83. Charles & Jackie Morgante to Supervisor -<br>Seek answers to concerns addressed to Building<br>Inspector that have not been addressed.   | TOWN ATTORNEY                      |
| 84. Director of Parks & Recreation to Supervisor -<br>NFTA request of assistance on bus stop snow<br>removal.  | PARKS AND RECREATION<br>COMMITTEE  |
| 85. Town Senior Citizens to Supervisor -<br>Greetings and advisement of legislative<br>representative, Betty LaCopa.   | R & F                              |
| 86. Stan Keysa to Various Officials -<br>Comments re: flooding potential on 1/19/96.   | R & F                              |
| 87. Erie County Legislature Frederick J. Marshall to<br>Supervisor Giza -<br>Congratulatory letter to reappointment to the<br>Erie County Sewer Dist No. 4 Board of Managers.                                  | R & F                              |
| 88. Norb Boron to Supervisor and Town Board -<br>Traffic concerns on Pleasant View Dr.   | PUBLIC SAFETY<br>COMMITTEE         |
| 89. Ex. Dir., Opera House to Supervisor and Town Board -<br>Painting and carpeting for Opera House.  | BUILDINGS AND<br>GROUNDS COMMITTEE |
| 90. Ex. Dir., Opera House to Supervisor and Town Board -<br>Town Board meetings at Opera House 1996-97 season  | R & F                              |
| 91. NYSDOT to G.R. McVoy, Envir. Analysis Bureau -<br>Re. SEQR Transit Rd, Part 4, SH9217, US 20 &<br>NY 78 (French Rd. to Broadway) BIN 1-01556-0<br>over Cayuga Creek. PIN 5111.62.121.                      | R & F                              |
| 92. Wendel to Supervisor -<br>Project update - Lancaster Youth Bureau,<br>Wendel Project No 2892-03.   | R & F                              |
| 93. Clarence Town Clerk to Supervisor -<br>Resolution requesting NYS Thruway Authority to<br>conduct study to feasibility of relocating the<br>Williamsville Toll Barrier.                                     | R & F                              |
| 94. Robert Giroux to Supervisor and Town Board -<br>Traffic signs for indication of Artel Metz Dr.<br>and the Senior Center.   | PUBLIC SAFETY<br>COMMITTEE         |
| 95. NYS Comptroller to Town Clerk -<br>Audit recommendations.  | R & F                              |
| 96. NYSDOT to Town Clerk -<br>Added intersection of Route 33 with Regency Court<br>Added intersection of Walden Ave. with Trace Way.<br>Added intersection of Route 78 and US 20 with<br>Michael Anthony Lane. | R & F                              |

ADJOURNMENT:

ON MOTION OF COUNCILMAN MILLER, AND SECONDED BY THE ENTIRE TOWN  
BOARD AND CARRIED, the meeting was adjourned at 10:50 P.M.

Signed Robert P. Thill  
Robert P. Thill, Town Clerk